

REMARKS

Applicant has cancelled claims 1-11 and 14-15.

Applicant has amended claims 16, 18 and 21.

Claim 16 has been amended to refer to a phrase "wherein each individual whole gene is represented by a set of oligonucleotides which collectively spans that individual whole gene from the 5' to 3' end." The amendment is supported throughout the specification, and particularly at page 10, paragraph 33. Accordingly, no new matter has been added, and the entry of the amendment is respectfully requested.

Claim 18 has been amended to delete the term "whole." Amendment is a clerical correction. Accordingly, no new matter has been added, and the entry of the amendment claim is respectfully requested.

Claim 21 has been amended to refer to "said at least 5" genes. The amendment is a clerical correction. Accordingly, no new matter has been added, and the entry of the amendment is respectfully requested.

Applicant has added new claim 26. Support for this claim can be found throughout the specification, and particularly at page 5, paragraphs 9, 11, page 10, paragraph 14, page 14, paragraph 49, and page 21, paragraph 78. Accordingly, no new matter has been added, and the entry of the new claim is respectfully requested.

Applicant greatly appreciates the Examiner's allowance of claims 12, 13, 17, 19, 20, and 25, and the indication that claims 16, 18, and 21-24 are free of prior art.

Claims 16, 18, and 21-24 were rejected under 35 U.S.C. § 112, second paragraph.

Applicant respectfully submits that this rejection should be withdrawn for the following reasons.

Applicant has amended claim 16 as described, *supra*. In the present method, the array contains immobilized oligonucleotides which collectively span a number of genes. As discussed in paragraph 32, most existing arrays have a 3' portion bias in their gene sequence selection. The method of the present invention provides arrays, which preferably contain fragments that span the whole length of the gene. In light of the amendment, applicants submit that the claim now complies with the 35 U.S.C. § 112, second paragraph.

Applicant has amended claim 18 as described, *supra*. In light of the amendment, applicants submit that the claim now complies with the 35 U.S.C. § 112, second paragraph.

Applicant has amended claim 21 as described, *supra*. In light of the amendment, applicants submit that the claim now complies with the 35 U.S.C. § 112, second paragraph.

Accordingly, applicant respectfully submits that all rejections of the claims under 35 U.S.C. § 112, second paragraph should be withdrawn.

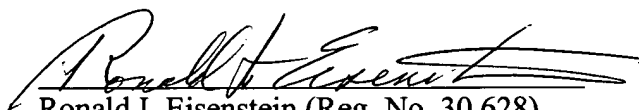
Claims 1, 2, 3, 4, 5 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Modrich (U.S. 5,459,039) in view of Chee (Science 274:610-614 (1996)).

Applicants have cancelled the claims without prejudice to refiling. Thus, the rejection has been rendered moot and should be withdrawn.

In view of the foregoing, applicant respectfully submits that all claims are in condition for allowance. Early and favorable action is requested.

Respectfully submitted,

Date: July 5, 2005



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